

DEPARTMENT OF HUMAN SERVICES FAMILY INVESTMENT ADMINISTRATION	SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) MANUAL	
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102.1 Student Policy

- A. A person is a student if they are enrolled at least half-time in an institution of higher education.
- a. An institution of higher education includes a business, trade, technical, or vocational school, when an individual is enrolled in a curriculum that requires a high school diploma or equivalent.
 - b. An institution of higher education also includes a degree-granting college or university, when an individual is enrolled in a regular curriculum, regardless of whether it requires a high school diploma.
 - c. Some programs and curricula are not considered institutions of higher education for the purposes of the student policy and, therefore, individuals enrolled in those programs or curricula are not subject to this policy section. For example, the following types of programs are *not* considered institutions of higher education:
 - i. Remedial courses,
 - ii. Continuing or community education,
 - iii. Professional development,
 - iv. Basic adult education,
 - v. English as a second language, or
 - vi. Workforce development and training.
- B. A person who is enrolled at least half-time in an institution of higher education is considered a student and therefore is **not eligible for SNAP benefits** unless the person meets one of the student exemptions listed below in Section 102.2.

The United States Department of Agriculture provided a [flowchart](#) as a reference for determining whether an individual is enrolled in an institution of higher education (IHE) for SNAP eligibility purposes.

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- C. This policy section does not pertain to people who are enrolled less than half-time (i.e., part-time) in an institution of higher education.
- D. Individuals enrolled in an institution of higher education may not be denied SNAP benefits solely because they participate in a meal plan; the scope of the meal plan must be investigated. Per [SNAP Manual Section 100.63](#), individuals who receive more than half of the 21 meals per week through a meal plan are considered residents of an institution and are not eligible for SNAP benefits. Individuals who receive fewer than half of their meals per week (under 10.5 meals) from a meal plan *may* be eligible for SNAP. They are eligible for SNAP if they are either not considered a student (See 102.1(A) and (B)) or are exempt from the student policy (see 102.2), and they meet all other SNAP eligibility requirements.

102.2 Exemptions from Student Policy

Half- or full-time students meeting one or more of the following conditions are exempt from the student policy. **Students who are exempt from the student policy are eligible for SNAP benefits regardless of their enrollment status, the type of school, and the type of curriculum that they are enrolled in, provided that they meet all other eligibility requirements.**

The following are exempt from the student policy:

- A. Students age 17 or younger, or age 50 or older;
- B. Students who are physically or mentally unfit;
 - a. Fitness for this student policy exemption refers to whether a person can work while concurrently being enrolled at least half-time in an institution of higher education.
 - b. An individual is considered physically or mentally unfit if:
 - i. They are receiving temporary or permanent disability benefits issued by governmental or private sources;
 - ii. The unfitness is evident to the case manager;

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- iii. Verification of the inability to work due to physical or mental unfitness is provided. Verification is only required if the unfitness is not evident or is questionable.

The following documents are acceptable as verification of an inability to work due to physical or mental unfitness:

1. [500 Medical Form](#);
 2. Statement from a physician, physician's assistant, nurse, nurse practitioner, designated representative of the physician's office, a licensed or certified psychologist, a social worker, or other medical or mental health professional;
 3. Letter from the school's disability or accommodations office; and
 4. Collateral contact, as a last resort (see [SNAP Manual Section 408.102](#) for a definition of collateral contact). If the unfitness is not evident and other acceptable verification is unavailable, case managers must make every attempt to verify unfitness using a collateral contact.
- c. Each LDSS is asked to use plain language in materials and in interviews so applicants can provide the information necessary for the case manager to make the determination. For example, instead of asking if a student is "unfit," the case manager could ask whether the student faces physical or mental barriers to working while attending school. The word "unfit" has negative connotations, so students may be hesitant to describe themselves as such. Plain language is particularly important to identify students with a non-evident disability or who meet the physical or mental unfitness exemption in a way that is not readily apparent to the case manager.

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- C. Students receiving Temporary Cash Assistance (TCA);
- D. Students participating in the Job Opportunities and Basic Skills program under Title IV of the Social Security Act or its successor program;
- E. Students employed an average of 20 hours per week or more and paid for the employment, or, if self-employed, employed for an average of at least 20 hours per week and receiving average weekly earnings at least equal to the federal minimum wage multiplied by 20 hours;
 - a. Average weekly hours of employment are calculated over either the past 30 days or the past quarter (i.e., the three full months before the individual's application), using whichever method results in the highest average number of hours worked per week.
 - b. To calculate the average hours worked per week over a quarter, total the number of hours worked across the last three full months before the date of application. Divide that total by 12 (using a standardized four weeks per month). The result is the average weekly hours. For example, a student applying on August 25 worked 55 hours in July, 100 hours in June, and 109 hours in May. Together, this is a total of 264 hours, which yields an average of 22 hours per week when divided by 12. The average weekly hours must be entered on the Income screen in E&E.
 - c. When average work hours are calculated, case managers must use the fluctuating income calculation detailed in [SNAP Manual Section 213.3\(C\)](#). If the number of hours that a student works is based on an average, the corresponding average income amount must also be calculated and entered on the Income screen in E&E. This can be done in one of two ways:
 - i. Complete the same calculation that was done to determine the average number of hours, but using the gross income amounts; or
 - ii. Multiply the calculated average number of hours by the

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hourly rate of pay.

Example 1: Student A applies for SNAP on April 1. They are a full-time student who also works at Walmart, where they are paid weekly, earning \$15 per hour. Their paychecks from the last three full months show the following hours and gross earnings:

Most Recent 3 Months	Week 1		Week 2		Week 3		Week 4		Monthly Total	
	Hours	Amt	Hours	Amt	Hours	Amt	Hours	Amt	Hours	Amt
March	18	\$270	18	\$270	18	\$270	17	\$255	71	\$1065
February	24	\$360	21	\$315	22	\$330	19	\$285	86	\$1290
January	24	\$360	17	\$255	20	\$300	22	\$330	83	\$1245

Using only the last 30 days (March), the average number of hours worked per week is **17.75 hours** (71 total hours worked in March divided by four weeks).

When calculated over a quarter (the last three full months), the average number of hours worked per week is **20 hours** ($71 + 86 + 83 = 240$ total hours divided by 12 weeks).

Using the average weekly hours calculated over a quarter rather than over the last 30 days, Student A meets the requirement of working an average of 20 hours per week, making them exempt from the student policy and eligible for SNAP benefits, provided they meet all other eligibility criteria.

Continuing this example, the case manager would next calculate Student A's average weekly income over the last calendar quarter and enter it into E&E. Student A earned an average of **\$300 per week** ($\$1,065 + \$1,290 + \$1,245 = \$3,600$ total income for the quarter divided by 12 weeks).

- d. When a student is self-employed, weekly earnings are used to

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determine the number of hours worked. Self-employed students must work an average of 20 hours per week with weekly earnings at least equal to the federal minimum wage multiplied by 20 hours to meet the student policy exemption for employment. The federal minimum wage is \$7.25 per hour, so the student must earn at least \$145 per week when averaged over either the past 30 days or the prior three full months, regardless of how many hours they report working.

Example 2: Using the table from Example 1, imagine Student A is self-employed instead of working at Walmart. From the calculations done in Example 1, we know that Student A worked an average of 20 hours per week, when calculated over a quarter, and earned an average of \$300 per week. Dividing \$300 by \$7.25 (federal minimum wage) equates to **41 hours per week**. Therefore, Student A meets the requirement to be exempt from student policy due to self-employment and is eligible for SNAP, provided all other eligibility criteria are met.

Example 3: Student B is a self-employed student earning an average of \$100 per week. Since \$100 divided by \$7.25 results in 13.79, Student B is found to work an average of **14 hours per week** by federal minimum wage standards. Regardless of how many hours per week they report working, their self-employment does not exempt them from the student policy because their weekly earnings are equivalent to less than 20 hours per week at the federal minimum wage. Student B is not eligible for SNAP benefits unless they qualify for a different exemption under the student policy.

- F. Students participating in a state or federally financed work study program during the regular school year (see 102.3 for the definition of work study);
- G. Students participating in on-the-job training programs (a person is considered to be participating in an on-the-job training program only during the period of time they are being trained by the employer);

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- H. Students responsible for the care of a dependent household member under age 6;
- I. Students responsible for the care of a dependent household member who is 6 through 11 years old, when child care is inadequate for the student to attend class and comply with the work requirements; or
- J. Single parents enrolled full-time in an institution of higher education and responsible for the care of a dependent child under age 12 (if no natural, adoptive, or stepparent is in the SNAP household with the child, another household member may qualify for this exemption if they have parental control over the child and are not living with their spouse);
- K. Students who are participating in a:
 - a. Program under the Job Training Partnership Act of 1974 (JTPA);
 - b. Program under section 236 of the Trade Act of 1974; or
 - c. SNAP Employment and Training (E&T) program for low-income households that is operated by a state or a local government, where one or more of the components of the program is at least equivalent to an acceptable SNAP employment and training program component as specified in 7 CFR § 273.7(e)(1).

102.3 Definition of Work Study

The Federal Work-Study Program provides part-time employment for undergraduate, graduate, and professional students with financial need. Students must fill out the Free Application for Federal Student Aid (FAFSA) to apply for federal work study. As long as there is some federal funding involved, a work study program is considered to be federally financed. Maryland does not currently have any state-financed work-study programs.

Note: Students who are paid to attend institutions of higher education with federal JTPA or Work Opportunities funds are not considered work study students. They are exempt from the limitations of the student policy because of their participation in a qualifying program (see 102.2.K above).

- A. To qualify for a work study exemption from student policy, an individual

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must be participating in a state or federally-financed work study program during the regular school year. Three criteria must be met to be considered participating in a work study program:

- a. The student must be approved for work study at the time of the SNAP application.
- b. The work study must be approved for the school term, and
- c. The student must anticipate actually working the work study job during the school term.
 - i. Anticipation of working the work study job means that the student has verified that they are working with their institution of higher education to establish a work study placement, but have not begun work yet.

Note: Unlike the employment exemption, the number of hours a student spends on the work study is not considered for the work study exemption.

B. Verification of work study participation (or anticipated participation) is not required unless the information provided by the student is considered questionable. Under these circumstances, the case manager must verify the questionable information before certifying the household. Acceptable sources of verification include (but are not limited to):

- a. Financial aid award letter;
- b. Documentation from the school;
- c. Letter from the work study employer; and
- d. Written attestation from the student (if no other verification is available).

C. There are several considerations for applying the work study exemption within the school term:

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- a. The exemption begins with the month in which the school term begins, or the month the work study is approved, whichever is later.
- b. Once begun, the exemption continues until the end of the month in which the school term ends, or it becomes known that the student refused a work study assignment.

Note: If the local department becomes aware of a student who with an exemption because of anticipated work study and the work study did not materialize, a claim is not required unless the student deliberately gave wrong or misleading information.

- c. The exemption does not continue between school terms if there is a break of a full month or longer between terms, unless the student is participating in work study during the break.

D. Work study income is excluded for SNAP eligibility purposes (see [SNAP Manual Section 211 Excluded Income](#)).

102.4 Work Registration

An eligible student is exempt from work registration due to their status as a student.

102.5 Household Requirements

An ineligible student is a non-member of the SNAP household. See 102.7 for information on the non-member's income and resources.

102.6 Enrollment Status

Enrollment status begins the first day of the school term and continues through normal periods of class attendance, vacation, and recess unless the person graduates, is expelled or suspended, drops out, or does not plan to register for the next normal school term (excluding summer school).

102.7 Income and Resources

Do not consider the income and resources of an ineligible student when determining eligibility and the benefit level for the remainder of the household. Ineligible students are non-members.